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SENSITIVE

STATE FOR AC/CB, NP/CBM, VC/CCB, L/ACV, IO/S
SECDEF FOR OSD/ISP
JOINT STAFF FOR DD PMA-A FOR WTC
COMMERCE FOR BIS (GOLDMAN)
NSC FOR JOECK
WINPAC FOR LIEPMAN

E.O. 12958: N/A

TAGS: [PARM](#) [PREL](#) [CWC](#)

SUBJECT: CHEMICAL WEAPONS CONVENTION (CWC): WEEKLY WRAP-UP
FOR 3 SEPTEMBER 2004

This is CWC-102-04.

ARTICLE VII

1. (U) Del rep attended a September 1 OPCW National Implementation workshop on National Implementation in London. Santiago Onate, Office of the Legal Advisor, Anan Dhavle, International Cooperation Division, and facilitator Mark Matthews (UK) presented tutorials on Article VII obligations to targeted SPs from African, Middle Eastern, and Caribbean regions (presentations and attendee lists were faxed back to AC/CB). On the margins, Rwanda and Sudan relayed requests for U.S. assistance. The representatives from Gambia and Trinidad and Tobago privately noted that most of the attendees were not the accredited representatives to the OPCW, but had been asked by their missions to attend the seminar. This may explain the "listen only" mode of most attendees. Finally, Martin Rudduck, UK National Authority, noted that Sweden and Norway are assisting Iceland in its implementation effort.

DG PFIRTER'S TRAVEL TO NEW YORK

2. (U) On September 3, Chief of Staff Rafael Grossi informed us that DG Pfirter will make two trips to New York in connection with the UNGA. In addition to the traditional meeting with the First Committee, the DG will make a second trip in conjunction with additional UN efforts on coordination with multilateral organizations. Grossi said the current plans are for the DG to travel to New York on October 7-8 and 20-21. He added that the DG would be willing to tack on a trip to Washington if there is USG interest either in meetings at the Department or gatherings in support of initiatives focused on areas such as Latin America.

TAIWAN

3. (SBU) Del rep recently spoke with officials of the Taiwan Representative Office in the Netherlands. Mark Tseng, Director of the Economic Division, and Jennifer Hsieh, also from the Economic Division, noted that Taiwan is interested in possibly having the Taiwan Chemical Industry Association apply to be non-official attendees at the Conference of States Parties in November. They said they had engaged the U.K. and France on the general issue of Taiwan's interest in the OPCW, and would be meeting with the Japanese and Italian delegations in the near future. We provided no substantive reply, but emphasized that if the Taiwanese felt strongly about possible non-official attendance at the CSP, it would be important to engage the PRC informally to ensure Beijing did not oppose the initiative. Tseng said the Taiwan Chemical Industry Association would be sending a delegation to The Hague in mid-to-late October.

ACCOUNTING FOR GB AT DESERET DF

4. (U) Delegation was informed by members of the TS that there remains an outstanding issue with regard to 1132 of GB at the Deseret CWF. The TS was at pains to emphasize that the issue of a "phantom" 1132 kg of GB at the Deseret Storage Facility has been resolved and was not/not what they were referring to. Rather, the issue was that having agreed finally on the correct amount of GB at the SF, the figure finally arrived at now did not match with records at the DF. TS is in the process of attempting to reconstruct past

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verification activities and declarations in an effort to

discern if and where another accounting error may have occurred, but requested that the US begin reviewing its own records in an effort to reconcile the difference between the now-agreed figures for the SF and the destruction figures for the DF.

EU INTEREST IN ALBANIA

15. (U) Delegation has been approached three times in two days with requests for information about the nature and scope of US assistance to Albania in destroying its small stockpile of CW. Specifically, the new German delegate Ronald Munch and, on a separate occasion, French delegate Dominique Anelli, asked whether the delegation had any information about what the US intended to do, the scope of our effort and, in particular, whether we viewed it as possible for the EU to become involved in the effort. Delegation informed both that the U.S. Cooperative Threat Reduction (CTR) program office had become involved and that it appeared CTR was going to be in a position to lend significant support to the Albanian destruction effort. However, it was impossible to discuss details of CTRs program because the process was still in its early stages. At this point CTR is still going through the various steps required by Congress to certify that Albania is eligible to receive CTR funds. Delegation did not rule out that some effort may have been expended to examine the task from a technical/operational point of view, but if so we were not aware of what those efforts may have produced. Before money could begin flowing, contracts could be let, etc., etc., however, the certification process had to be complete, and that was the focus of our effort at this stage.

16. (U) Anelli asked whether it would be possible to, perhaps on the margins of the upcoming Council session, have a dialogue between us and members of their MFA about the state of U.S. efforts. In particular, they would be interested in knowing, if possible, where the EU might become involved in assisting the Albanians since, as he put it, Albania is our close neighbor (an observation made separately by Munch as well). Delegation offered that it would consult with Washington on this question but allowed that if it was not possible, perhaps our delegation could be in a position to have and pass along some basic information about what we're doing. If the EU was genuinely interested in providing support, it seemed judicious to begin a dialogue sooner rather than later so as to prevent duplication of effort.

17. (U) In a separate conversation, former German delegate Peter Beerwerth took the unusual measure of contacting the delegation directly from Berlin to ask essentially the same questions as Munch and Anelli had posed. In the course of the conversation, Beerwerth observed that EU did not have the funds to lend major support such as, for instance, constructing a destruction facility, but that it was considering lending support in the form, again for example, of providing technical assistance visits to help the Albanians determine an appropriate destruction technology. Delegation responded that it did not have details of the scope of CTRs program of work in Albania, but believed the intent was that the U.S. would fund the destruction facility. Presumably that would imply the US would also have a hand in determining the destruction technology, type of facility to be used, etc., etc. But again, this was speculation since it was so early in the process and the delegation wasn't even certain whether CTR itself had asked and answered such questions. (Note: Given the clearly heightened interest the EU has taken in this area, delegation believes that it is important to begin discussing these issues with EU representatives in the near future. Delegation understands that in the past CTR/WDC has been less than enthusiastic about the prospect of EU participation or "support", but believes that even if this remains the case, it is in the general interest to have an open and frank discussion in which we would clearly state our views. End note.).

STATUS OF RABTA DOCUMENTS

18. (U) On Monday, 6 September, delegation provided round two of U.S. comments to the Libyan conversion request to the Libyan delegation and the Technical Secretariat (TS). In passing the comments delegation made it clear that the four items categorized as "major deficiencies" must be taken into account and addressed before the document is circulated to states parties on 10 September.

19. (U) Subsequently, Libya faxed the TS 9 pages of new text intended to address each of the four deficiencies. The TS has slightly rewritten and reformatted the Libyan text to make it more compatible with the already-existing text of the conversion request, and is in the process of incorporating the new text. Delegation expects to receive and forward to Washington by COB Wednesday, 8 September, copies of the text that will be incorporated into the final version.

10. (U) To summarize, the changes being made to address each of the four areas of major deficiency;

1) Libya provided the TS two and one half pages of history to be included after the cover page of the conversion request.

2) The current version of the conversion request includes a very detailed schedule for "phase 1" destruction activities. It also makes a general reference that "phase one" destruction activities will be completed within one year. Details regarding the schedule for phase two conversion activities will be included in the Combined Plan for Conversion and Verification.

3) The conversion request will include a statement in CWP 5.21 to the effect that detailed verification measures for phase one destruction are included in the Combined Plan for Destruction and Verification that will be submitted to the Council for consideration - with an EC-38 number. Similarly, detailed verification measures for phase two conversion will be included in the Combined Plan for Conversion and Verification, probably with an EC 39 or EC 40 number. The reasoning is that the TS cannot formally circulate a CP for Conversion and Verification before the Council approves the conversion request. Despite the assignment of a later EC number, the Conversion Plan and the attendant plan for verification will be available to states parties during EC 38, but again with an EC 39 or EC 40 number.

4) The conversion plan will now include text specifying certain discrepancies that were detected during the course of TS inspections. The new text will also note that the

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equipment list contained in the conversion request is in fact consistent with the factual findings from the inspections, but that an amended initial declaration is required and will be accomplished to ensure consistency between the two documents. It will take a few weeks because it is fairly voluminous, but they are working on it. To address Washington's comment that the inventory list should include details such as "materials of construction, whether old or new", etc., the documents will now also include text to the effect that all equipment is commercially available and not specifically or uniquely designed for CW production; it is available in many places and observable at any commercial chemical or industrial production facility. The TS and Libya both have observed that with over 5,000 pieces of equipment, it is not feasible to include item-by-item descriptions and still have the document out by 10 September.

11. (U) Delegation met with the TS on the morning of 8 September to review the new/changed text, as well as to receive copies of the various notes, reports, and decision documents required to accompany the Libyan request. All these materials were faxed to State AC/CB on 8 September, as has the text of the Libyan fax to the TS. During the course of the meeting, delegation reaffirmed with the TS that the documents must be completed and available at the document counter no later than COB Friday, 10 September. TS acknowledged this and assured delegation it would be so.

STRUCTURE OF THE RABTA DOCUMENTS

12. (U) In a previous meeting, the TS informed the delegation that it had originally drafted and given the Libyans a document in which the destruction plans and conversion request had been integrated as one package. When the TS received the documents back from Libya, they discovered the Libyans had essentially "split" the documents into the conversion plan and, separately, the destruction plans. The TS intention, therefore, was to send the conversion request

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and the destruction plans out under separate DG notes, but as a package in which each set of documents is cross-referenced in the other.

13. (U) Their approach is driven by the fact of Libya's having separated the two documents. Re-combining them would have taken a lot of time, according to the TS, and would have run the risk of errors being introduced. Delegation expressed our concern about the possibility of having other delegations try to shred out the destruction plan and approve it while taking time to mull over the conversion request. TS took the point but offered that they would work as closely as needed with us and others to use language in the aforementioned DG notes to tie the two documents together. As noted above, drafts of these documents have been received by the delegation and forwarded to State AC/CB.

14. (U) TS reports informally that on the subject of the recently-completed Marquardt and Pine Bluff Arsenal production facility inspections, the news sounds categorically good. As TS representative Oleg Uharov put it, all our talk was "made obsolete" by a few hours of practical experience. Since Uharov was the architect of these particular headaches, his assessment means carries a lot of weight. The TS has received initial reports and, in both cases, the inspector/visit team chief (Oswaldo) reported that he had been fully able to fulfill his mandate, in the case of PBA, and his visit instructions, in the case of Marquardt. When Mazur asked him how he was able to ascertain the presence of "various" quantities of particular equipment and to discern sub-components, Oswaldo responded that in the before and after photos he was shown the fact of destruction having occurred, and of what and how much of what had been destroyed, were absolutely clear.

RABTA TECHNICAL CHANGE STATUS

15. (U) Delegation was informed that French delegate Sophie Moal-Makame, based on new instructions from Paris that haven't officially gotten to her yet, was informed that;

-- The changes made to the request for a technical change substantially address French concerns over equitable treatment and bounding the time given for conversions;

-- Paris is concerned that other SPs have the impression that France is opposed to the Libyan request; they are not. Sophie allowed that the statement by her Amb during the Council session went a long way toward promoting that impression, but said that it was nevertheless erroneous. In fact they are contacting/have contacted the Libyans in Tripoli to inform them that they do not oppose the Libyan request.

-- France will watch closely to see gauge how Council members react to the proposal and, in particular, whether there seems to be broad support for it;

-- The DG note will be "very important" for France's further consideration of the request. (Note: Delegation was informed by the TS today that the DG assessment of the Libyan technical change request will be available at the document counter not later than the morning of Thursday, 9 September.

16. (U) While Moal-Makame stopped short of stating outright that France would join consensus, this news is obviously welcome. It remains unclear whether all of France's concerns are addressed by the "new and improved text", or they will seek additional modifications. Moal-Makame did not allude to any though.

17. (U) Ito sends.
SOBEL